

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

To:

see form PCT/ISA/220

### WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/US2006/019368

International filing date (day/month/year)  
19.05.2006

Priority date (day/month/year)  
26.05.2005

International Patent Classification (IPC) or both national classification and IPC  
INV. G06F3/14  
ADD. G09G5/14

Applicant  
CITRIX SYSTEMS, INC.

#### 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☒ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

#### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

#### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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Date of completion of  
this opinion

see form  
PCT/ISA/210

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material:

- ☐ a sequence listing
- ☐ table(s) related to the sequence listing

b. format of material:

- ☐ on paper
- ☐ in electronic form

c. time of filing/furnishing:

- ☐ contained in the international application as filed.
- ☐ filed together with the international application in electronic form.
- ☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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**Box No. IV Lack of unity of invention**

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1. ☒ In response to the invitation (Form PCT/ISA/206) to pay additional fees, the applicant has, within the applicable time limit:
- ☐ paid additional fees
  - ☐ paid additional fees under protest and, where applicable, the protest fee
  - ☐ paid additional fees under protest but the applicable protest fee was not paid
  - ☒ not paid additional fees
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is
- ☐ complied with
  - ☒ not complied with for the following reasons:  
**see separate sheet**
4. Consequently, this report has been established in respect of the following parts of the international application:
- ☐ all parts.
  - ☒ the parts relating to claims Nos. 1-5,9-15,20-26,31,32

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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1. Statement

Novelty (N)	Yes: Claims	<u>2-5, 12-15, 23-26</u>
	No: Claims	<u>1, 9-11, 20-22, 31, 32</u>
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>2-5, 12-15, 23-26</u>
Industrial applicability (IA)	Yes: Claims	<u>1-5, 9-15, 20-26, 31, 32</u>
	No: Claims	

2. Citations and explanations

**see separate sheet**

**Re Item IV**

**Lack of unity of invention**

For the following reasoning the prior art as described in GB2300551, cited in the search report, is taken into consideration. GB2300551 describes a method and system, as claimed in claims 1, 11 and 22.

1. From the comparison of the first invention and this prior art, the following technical feature of the first invention, as far as understood, can be seen to make a contribution and are therefore considered to be the "special technical features" (Rule 13.2 PCT) of the first invention:  
The user interface using a layered windows application programming interface (e.g. claim 3).

The first invention is considered to relate to the objective technical problem of how to efficiently implement the storage of screen data.

2. Following the same reasoning, comparing claims 6-8,16-19, 27-30 and this same prior art, the "potential" special technical features of the second invention, as far as understood, are:  
Representing the screen elements as a plurality of tiles.

These features are considered to relate to the objective technical problem of how to efficiently implement the transmission of screen data.

Thus the special technical features of the two different inventions are not the same. A comparison of the corresponding objective technical problems shows that these problems are different and have no corresponding technical effect.

Consequently, the special technical features of the various inventions do not correspond and the requirement of Unity of Invention (Rule 13.2 PCT) is not fulfilled.

**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

Reference is made to the following documents:

- D1: GB-A-2 300 551 (IBM [US]) 6 November 1996 (1996-11-06)  
D2: US-A-5 689 666 (D. BERQUIST et al.) 18 November 1997 (1997-11-18)  
D3: V. GOROKHOVSKY ET AL.: "Layered Windows - A New Way to Use Translucency and Transparency Effects in Windows Applications" INTERNET ARTICLE, [Online] January 2000 (2000-01), XP002404196 Retrieved from the Internet:  
URL:<http://msdn.microsoft.com/library/default.asp?url=/library/en-us/dnwui/html/layerwin.asp> [retrieved on 2006-10-24]

**NOVELTY - INDEPENDENT CLAIMS**

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of independent claims 1, 11 and 22 is not new in the sense of Article 33(2) PCT.

The document D1 discloses (the references in parentheses applying to this document) a method for selectively sharing screen data (window sharing) between a first computing device (Terminal A) and a second computing device (Terminal B), the second computing device displaying the screen data of the first computing device (page 5, lines 17-20), the method comprising the steps of (see page 5, lines 27-39):  
(a) storing to a first location a first portion of screen data (page 5, lines 35, 36: "captures the indicated window") for one or more screen elements displayed on the first computing device;  
(b) storing to a second location (e.g. frame buffer of Terminal A, which is considered to be intrinsically present in the method described) a second portion of screen data (any window not indicated) for a user interface element (e.g. window) displayed on the first computing device; and  
(c) transmitting the first portion of screen data stored in the first location to the second computing device (page 5, lines 37-39).

Consequently, the subject-matter of claim 1 is not novel.

The corresponding apparatus claims 11 and 22 also lack novelty for the same reasons *mutatis mutandis*.

#### NOVELTY AND INVENTIVE STEP - DEPENDENT CLAIMS

Dependent claims 2-5, 9, 10, 12-15, 20, 21, 23-26, 31, 32 do not contain any feature which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, the reasons being as follows:

The additional features in claims 9, 10, 20, 21, 31 and 32 do not appear to imply any limitation on the subject-matter with respect to the claims on which they depend.

The term "layered window" in claims 2, 12, 23 can be interpreted as in document D3 (see passage cited in the search report), rather than as in document D2. The person skilled in the art would understand that the non-selected user interface element in D1 can be any user interface element. Furthermore, in D1 the choice is left to the user. Allowing the user to select any of the features in claims 2, 4, 5, 12, 14, 15, 23, 25, 26 is therefore intrinsically disclosed by D1. Choosing a specific one of these user interface elements is not considered inventive, because such a selection can only be regarded as inventive, if the method presents unexpected effects or properties in relation to the rest of the range. However, no such effects or properties are indicated in the application.

Though the term "layered window" in claims 3, 13, 24 is clearly to be interpreted as in document D2, the language of these claims does not appear to imply any technical restriction other than the mere use of these Layered Windows. The mere use of Layered Windows does not appear to solve a technical problem, which is derivable from the application, as no further technical effect can be attributed to the entire scope of these claims.

#### INDUSTRIAL APPLICABILITY

The subject-matter of claims 1-5,9-15,20-26,31,32 relates to the technical field of image

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data processing and thus fulfills the criteria of industrial applicability (Article 33(4) PCT).